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5 Attorneys for Plaintiff National Contractors  
6 Insurance Company, Inc., a Risk Retention Group

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

10  
11 NATIONAL CONTRACTORS  
INSURANCE COMPANY, INC., A  
12 RISK RETENTION GROUP,

13 Plaintiff,

14 vs.

15 FRANK FALCO et al,

16 Defendants.

Case No. CV-10-730-PMP

DISMISSAL OF ACTION  
PURSUANT TO FRCP 41(a)(1)(A)  
[No Court Order Required Because  
No Defendant Has Appeared]

17  
18 Plaintiff National Contractors Insurance Company, Inc., a Risk Retention  
19 Group ("NCIC"), the only party which has appeared in this action, pursuant to  
20 FRCP 41(a)(1)(A) hereby dismisses this action, in its entirety, as follows::

21 1. The Court has previously entered the default of most of the defendants  
22 in this action. No defendant has appeared in this action.

23 2. NCIC subsequently entered into a confidential settlement agreement  
24 with most of the defendants.

25 WHEREFORE, NCIC hereby dismisses the action without prejudice as to  
26 defendant Terra Cotta Construction Services, Inc., each party to bear its own costs.

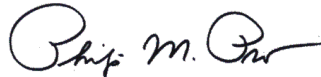
27 WHEREFORE, NCIC hereby dismisses the action with prejudice as to all  
28 other defendants.

1 DATED: May 18, 2010 BUCHALTER NEMER  
2 A Professional Corporation

3  
4 By: \_\_\_\_\_  
5 STEVEN BROWER  
6 Attorneys for Plaintiff  
7 National Contractors Insurance Company, Inc.,  
8 a Risk Retention Group

9 IT IS SO ORDERED.

10 The Status Hearing set for 2/6/2012 at 11:30 a.m. is VACATED.

11 

12 PHILIP M. PRO  
13 UNITED STATES DISTRICT JUDGE

14 Dated: February 1, 2012.